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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<i>Customer No.</i>	23643	}
<i>Group:</i>	1651	
<i>Confirmation No.:</i>	3917	
<i>Application No.:</i>	10/535,357	
<i>Invention:</i>	Composition and Method for Inhibition of Microorganisms	
<i>Inventor:</i>	Michael P. Doyle	}
<i>Filed:</i>	May 18, 2005	
<i>Attorney Docket:</i>	31725-77991	
<i>Examiner:</i>	Deborah K. Ware	

**Assertion Of Entitlement To Small Entity Status
And Request For Refund**

Mail Stop 16
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Issue Fee for the above-identified application was paid on July 10, 2009 as a

large entity and the patent issued on August 18, 2009. The owners of the captioned application

therefore incorrect. Pursuant to 37 C.F.R. § 1.27(c), Applicants hereby submit this written assertion of entitlement to small entity status with respect to the above-identified application.

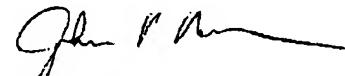
09/02/2009 BROWELL 000006100 100435 10535357
01 FC:2581 755.00 00

Adjustment Date: 09/02/2009 BROWELL
07/10/2009 INTEFSW 000006100 100435 10535357
01 FC:1501 1510.00 CR

The issue fee transmittal was filed electronically and payment of the issue fee and publication fee totaling \$1,810 (\$1,510 issue fee, \$300 publication fee) was made at that time, by a charge to Deposit Account No. 10-0435. Applicants hereby respectfully request a refund of \$755.00, which is, pursuant to 37 C.F.R. § 1.26, § 1.27(c), and § 1.28(a), the portion of the transmitted fees in excess of that required for a small entity.

This request for refund is being made within the three months of the payment of the above-identified fees as required by 37 C.F.R. § 1.28(a). This refund can be made by check to Applicants' attorney, Barnes & Thornburg LLP, or by crediting the amount to be refunded to Deposit Account No. 10-0435 with reference to our matter number 31725-77991. The Director is hereby authorized to charge any additional fees which may be required, or to credit any other overpayment, to our Deposit Account No. 10-0435.

Respectfully submitted,



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